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|---------------------------------------------|--------------------------------------|----------------------------------------|--|
| <b>Examiner-Initiated Interview Summary</b> | <b>Application No.</b><br>09/760,574 | <b>Applicant(s)</b><br>AUDONNET ET AL. |  |
|                                             | <b>Examiner</b><br>Jon Eric Angell   | <b>Art Unit</b><br>1635                |  |

**All Participants:**

(1) Jon Eric Angell.

(2) Deborah Lu.

**Status of Application:** \_\_\_\_\_

(3) \_\_\_\_\_

(4) \_\_\_\_\_

**Date of Interview:** 13 June 2005

**Time:** afternoon

**Type of Interview:**

- ☒ Telephonic  
☐ Video Conference  
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

**Exhibit Shown or Demonstrated:** ☐ Yes ☒ No

If Yes, provide a brief description:

**Part I.**

**Rejection(s) discussed:**

*103, Obvious-type Double Patenting*

**Claims discussed:**

*84-118, in general*

**Prior art documents discussed:**

*Harpin et al (1999, cited by Applicants in IDS filed 4/8/2005)*

**Part II.**

**SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:**

*See Continuation Sheet*

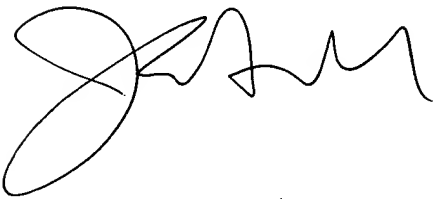
**Part III.**

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.  
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

  
(Examiner/SPE Signature)

\_\_\_\_\_  
(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Applicants representative was contacted regarding the amendment filed 5/10/2005. The Examiner indicated that the Declaration of Babiuk filed under 37 CFR 1.132 and the Harpin reference were sufficient to indicate that there would not have been an expectation of success for using a cationic lipid in combination with a bovine DNA vaccine as Harpin indicates that a cationic lipid abolishes the protective effect of the bovine DNA vaccine. The Examiner also indicated that the Harpin reference raises issues with respect to the enablement of the claimed invention because, in view of Harpin, it would not be predictable that a cationic lipid could be combined with a bovine DNA vaccine to make a vaccine composition that confers a protective immune response. Applicants were asked if they could direct the Examiner to a disclosure either in the specification or art indicating that the cationic lipids of the claim could be used in combination with a bovine DNA vaccine have been demonstrated. Applicants representative indicated they would require time to contact the Inventors. As of the close of business Friday 6/17/2005, Applicants representative have not contacted the Examiner.

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a series of loops and a final 'm' shape.